

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 6, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-33598 - APPLICANT: LAKES CONGREGATION OF
JEHOVAH'S WITNESSES - OWNER: ARMONDO TULLY**

**** CONDITIONS ****

The Planning Commission (4-2/se/gt vote) recommends DENIAL. Staff recommends APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] to C-V (Civic) on 1.49 acres at the northeast corner of O'Bannon Drive and Lisa Lane. The subject site is currently an undeveloped lot within a predominately single-family residential area. In addition to this application, the applicant has submitted a request for a General Plan Amendment (GPA-33597) to change the General Plan designation from DR (Desert Rural Density Residential) to PF (Public Facilities) and a Site Development Plan Review (SDR-33599) for a proposed one-story, 18-foot tall, 4,576 square-foot Church/House of Worship. The Church/House of Worship use proposed for this property through Site Development Plan Review (SDR-33599) is an appropriate quasi-public purpose and the C-V (Civic) zoning district is compatible with the existing residential and civic developments in the area; therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/19/86	The City Council approved a Petition to Annex (A-0009-85) the subject property as part of a larger request. The effective date of this Annexation was 03/26/86.
11/23/98	The City Council approved a request for a General Plan Amendment (GPA-0027-98) to amend a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Avenue, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval of this request.
04/06/05	The Planning and Development Department administratively approved a Parcel Map (PMP-5279) for three residential lots at the northeast corner of O'Bannon Drive and Lisa Lane. The Parcel Map was never recorded.
04/09/09	The Planning Commission recommended denial of companion items GPA-33597 and SDR-33499 concurrently with this application. The Planning Commission voted 4-2/se/gt to recommend DENIAL (PC Agenda Item #32/dc).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with this request.	
<i>Pre-Application Meeting</i>	
01/23/09	A pre-application meeting was held with the applicant where the submittal requirements of a Site Development Plan Review, Rezoning and General Plan Amendment were discussed.

<i>Neighborhood Meeting</i>	
03/09/09	<p>A neighborhood meeting was held at 6:00 pm at the Sahara West Library, Board Room, located at 9600 West Sahara Avenue, Las Vegas, Nevada 89117. There were 12 members of the public, four representatives of the applicant and one member of the Planning and Development Department present.</p> <p>Questions from the public were as follows:</p> <ul style="list-style-type: none"> • Parking capacity • Maximum occupancy of the church – The applicant responded 189 persons • Church service times - The applicant responded Sunday and Saturday no later than 6:00 pm end time, Monday-Friday 7:00 pm to 9:30 pm • Increased traffic on Lisa Lane and O'Bannon Drive • Request a traffic signal be installed at O'Bannon Drive and Durango Drive • Height of the building – The applicant responded 17 feet
<i>Field Check</i>	
03/05/09	<p>A field check was conducted by staff at the subject property. The subject property was an undeveloped lot surrounded by a chainlink fence, which was noted as laying on the ground along the southern perimeter of the property. Several earth mounds and weeds were noted on site.</p>

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation]
North	Undeveloped	DR (Desert Rural Density Residential)	U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation]
South	Single-Family Residences	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-Family Residences	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Single-Family Residences	R (Rural Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District	X		Y*
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The subject property is located within a Rural Preservation Neighborhood 330-foot buffer area. The subject property meets the intent of the Rural Preservation Neighborhood 330-foot buffer area by providing an adequate buffer area, adequate screening and an orderly and efficient transition of uses.

ANALYSIS

The subject site is located in the Southwest Sector of the General Plan and has a current General Plan designation of DR (Desert Rural Density Residential). A General Plan Amendment (GPA-33597) to change the designation to PF (Public Facilities) has been submitted along with this Rezoning request. The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

This is a proposal to Rezone the site from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] to C-V (Civic). The C-V (Civic) district is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V (Civic) district may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V (Civic) district is consistent with the Public Facilities category of the General Plan.

The surrounding properties to the east and south are zoned R-E (Residence Estates) while the parcel to the north is zoned U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation], all carrying the DR (Desert Rural Density Residential) General Plan designation. The parcels to the west are zoned R-1 (Single Family Residential) with a General Plan designation of R (Rural Density Residential). The two zoning districts permissible within the existing DR (Desert Rural Density Residential) General Plan designation are U (Undeveloped) and R-PD2 (Residential Planned Development – Two Units per Acre), both of which cannot be utilized to facilitate the development the proposed Church/House of Worship use as the U (Undeveloped) zoning district functions as a temporary classification to be used until property is ready to be developed for a more intense, permanent use while the R-PD2 (Residential Planned Development – Two Units per Acre) is intended to provide for flexibility and innovation in residential development. As such, the applicant has requested a General Plan

Amendment (GPA-33597) to change the General Plan designation from DR (Desert Rural Density Residential) to PF (Public Facilities) and this Rezoning from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] to C-V (Civic). The Church/House of Worship use proposed for this property through Site Development Plan Review (SDR-33599) meets the intent of uses permitted within a C-V (Civic) zoning district and is compatible with the existing residential and civic developments in the area; therefore, staff is in support of this request.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The proposed Rezoning is in conformance with the proposed PF (Public Facilities) General Plan designation. The PF (Public Facilities) category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities. The project site proposes development that can accommodate the range of uses identified and is in compliance with the existing and proposed General Plan category.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The uses allowed on the subject property by the proposed C-V (Civic) zoning district will be compatible with the surrounding R-E (Residence Estates), U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation and R-1 (Single Family Residential) zoned parcels. The permitted uses include new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power, other public utility facilities and any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

Growth and development factors indicate the appropriateness of the placement of a Church/House of Worship on the subject property as the proposed Church/House of Worship is intended to serve parishioners within the surrounding neighborhood. With the approval of the proposed General Plan Amendment (GPA-33597) to the PF (Public Facilities) designation, the Rezoning to the C-V (Civic) zoning district is appropriate for the area.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

Access to the site is provided by two driveways accessing O'Bannon Drive, a 60-foot Local Street as designated by the Master Plan of Streets and Highways. The site is also adjacent to Lisa Lane, a 60-foot Local Street as designated by the Master Plan of Streets and Highways; however, no access to the subject property will be provided from Lisa Lane. The traffic generated by this use will have some impact on the surrounding residential area; however, the proposed Church/House of Worship has a maximum occupancy of 189 persons, and will not negatively impact the surrounding neighborhood.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 293 by City Clerk

APPROVALS 3

PROTESTS 12